

ORDER SHEET
IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR
C. P No. D – 388 of 2022

Date of hearing	Order with signature of Judge.
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For non-prosecution

Date of Hearing & Order: 10-05-2022

None present on behalf of the Petitioners

ORDER

Through this Petition, the Petitioners 1 and 2 seek appointment as Junior School Teacher (JST) while Petitioners 3, 4 and 5 as Primary School Teacher (PST) with Respondents Department pursuant to some advertisement and recruitment exercise carried out in the year 2012. It is the case of the Petitioners that they had qualified in the written test, but no appointment orders were issued; hence, instant Petition.

None present on behalf of the Petitioners nor any intimation received. However, we have perused the record and it appears that various identical Petitions have already been dismissed by this Bench and while dismissing the C.P No.D-179 of 2022, vide Order dated 01.03.2022, the following Order was passed by this Bench:

“Through this Petition, the Petitioners seek appointment as School Teachers (PST & HST) with Respondents pursuant to some advertisement and recruitment exercise carried out in the year 2013. It is the case of the Petitioners that they had qualified in the written test and interview, but no appointment orders were issued; hence, instant petition.

We have confronted the Petitioners’ Counsel as to involvement of laches in this matter and in response; he submits that on similar facts, certain orders have been passed by Circuit Court, Hyderabad in various petitions as stated in para-6 of the Petition. However, we are not inclined to consider the case of the Petitioners, as apparently laches is involved and no justifiable case has been made out in this regard; except reliance on the said

orders. Nonetheless we have also perused one such order dated 26.01.2022 in CP No. D-1416 of 2020, and are of the considered view that it is not a binding precedent insofar as laches are concerned as the same has not been adjudicated or decided by the said Court at all; hence, any reliance on it is misconceived. Moreover, it is a disposal order with certain directions and not a judgment to follow by itself.

Accordingly, this Petition being hit by laches is not maintainable and the same stands **dismissed in limine** with pending applications”.

Moreover, subsequently, another Division Bench at Hyderabad Circuit Court has also dismissed various identical Petitions vide order(s) dated 30.3.2022 and 31.03.2022 in C.P. Nos. D-458 of 2022 and other connected matters and C.P Nos. D-594 of 2022 and other connected matters respectively.

In view of the above, this Petition also stands **dismissed** in *limine* for the aforesaid reasons with pending applications.

Judge

Judge

ARBROHI